

TRULINCS 07480408 - KENNER, PHILLIP A - Unit: BRO-J-A

FROM: 07480408
TO:
SUBJECT: Motion to re-open forfeiture (limited purpose)
DATE: 11/24/2018 12:37:19 PM

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ NOV 28 2018

November 24, 2018

LONG ISLAND OFFICE

Re -- 13-cr-607 (JFB)

The Honorable Judge Bianco:

Your Honor, pursuant to discussions in your courtroom related to subpoena requests and outstanding information, I am requesting you re-open the forfeiture proceedings for a limited purpose. I would like to request all of the documentation that is related to the creation of the government's forfeiture-44 document; including but not limited to bank records, emails, texts, facsimiles, any recorded information, raw notes.

IN addition to the back-up documents, I am interested in the process by which the document was first requested from the government and/or the FBI investigating agents, which instigated Ken Jowdy and his attorneys to produce the pro-Kenner exculpatory document. That document, if produced during trial, would have created a significant revisionary issue for all of the government's assertions and allegations about the Hawaii funds Ken Jowdy received thru loans as "phony", "bogus" and "supposed". It would have completely undermined the misrepresentations during the government's two (2) summations, where they claimed that Kenner "bought his piece of that Mexico project" with the funds allegedly loaned to Jowdy. This misrepresentation and the source of Kenner's Baja Ventures 2006, LLC funds have been thoroughly vetted, and the government was specifically wrong in their tortuous misrepresentations, fully affecting Kenner's fair trial.

The production of the source documents and back-up documents will prove issues ranging from BRADY violations to prosecutorial misconduct.

I respectfully request that Your Honor request these documents from the government.

I remain, respectfully yours, Phil Kenner



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E.D.N.Y. PRO SE OFFICE

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